

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Luis Fernando Amar,

Complainant,

vs.

Pacific Bell Telephone Company (U-1001-C),

Defendant.

(ECP)

Case 04-01-019

(Filed January 13, 2004)

OPINION DENYING RELIEF

Summary

Luis Fernando Amar (Complainant), after moving out of his apartment, did not request Pacific Bell Telephone Company (SBC California) to disconnect his telephone service until almost six weeks later. During this period, other persons who had access to the apartment used his telephone service, incurring charges. Complainant contends that since he did not make the calls, he should not be held responsible for the outstanding charges of \$1,275.24.

We conclude that Complainant is responsible for all charges incurred up to May 13, 2002, the date that he requested disconnection of telephone service. Complainant's request for relief is denied, and this proceeding is closed.

Procedural Summary

An evidentiary hearing in this matter was held on March 17, 2004 in San Francisco, under the Commission's expedited complaint procedure (Rule 13.2). This matter was submitted for decision on the same day.

Discussion

Complainant does not dispute that he waited almost six weeks before he requested SBC California to disconnect his service, and service was promptly disconnected on the same day the request was made. He contends that he should not be held responsible for the charges since there were others who had access to the apartment and they apparently used the "live" telephone connection during that period.

We deny Complainant's request because as the telephone subscriber of record, he is wholly responsible for the payment of all services up to and including the date that service is discontinued at the request of the customer (Tariff Schedule Cal. P.U.C. Nos. A2.1.9 and A2.1.11).

O R D E R

Therefore, **IT IS ORDERED** that:

1. The complaint of Luis Fernando Amar is denied.
2. This proceeding is closed.

This order is effective today.

Dated _____, at San Francisco, California.